



## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: FAITH M. OI ET AL

Serial No.: 10/613,405

Filed: 7/03/2003

Examiner: VALENTI, ANDREA M.

Group Art Unit: 3643

For: ALTERNATING LAYER NON-EDIBLE FORAGING MATRIX CONFIGURATIONS FOR CRAWLING ARTHROPODS

TERMINAL DISCLAIMER AND CERTIFICATION  
UNDER RULES 1.321 & 3.73(b)

Honorable Commissioner of Patents  
 and Trademarks  
 Alexandria, Virginia 22313-1450

Sir:

Your Petitioner, the applicants, represents that they are the assignors of 100% of the entire right, title and interest in and to U.S. Application Serial No. 10/613,405 entitled (ALTERNATING LAYER NON-EDIBLE FORAGING MATRIX CONFIGURATIONS FOR CRAWLING ARTHROPODS) filed on 07/30/2003, which is a Divisional Application of U.S. Serial No. 09/942,341 filed August 29, 2001, now U.S. Patent No. 6,637,150 which is a Continuation-In-Part of Application No. 09/525,086 filed March 14, 2000, now U.S. Patent No. 6,298,597, which claims the benefit of priority to Provisional application No. 60/159,266 filed October 13, 1999, and Provisional application No. 60/243,905 filed October 27, 2000. University of Florida is the assignee of 100% of the entire right, title and interest in and to said Application, by virtue of Assignment recorded and reflected in Reel/Frame 012147/0388, recordation date 08/29/2001.

Your Petitioners further represent that they are the assignor of 100% of the entire right; title and interest in and to: U.S. Patent 6,637,150 issued October 28, 2003; U.S. Patent 6,298,597 B1 issued October 9, 2001; U.S. Patent 6,606,816 B2 issued August 19, 2003; and U.S. Patent 6,606,817 B2 issued August 19, 2003.

Your Petitioner hereby disclaims except as provided below, the terminal part of any patent granted on said U.S. Application Serial No. 10/613,405, which would extend beyond the expiration date of: U.S. Patent 6,637,150 issued October 28, 2003; U.S. Patent 6,298,597 B1 issued October 9, 2001; U.S. Patent 6,606,816 B2 issued August 19, 2003; and U.S. Patent 6,606,817 B2 issued August 19, 2003, as presently shortened by any terminal disclaimer.

Petitioner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the above listed patents are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors, or assigns.

Your Petitioner further agrees that any patent issuing on said U.S. Patent Application Serial No. 10/613,405, shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to said: U.S. Patent 6,637,150 issued October 28, 2003, U.S. Patent 6,298,597 B1 issued October 9, 2001; U.S. Patent 6,606,816 B2 issued August 19, 2003; and U.S. Patent 6,606,817 B2 issued August 19, 2003, this agreement to run with any patent granted on said U.S. Patent Application Serial No. 10/613,405 and to be binding upon the grantee, its successors or assigns.

In making the above disclaimer, petitioner does not disclaim any terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of the prior patents, as presently shortened by any terminal disclaimer, in the event that it later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

The undersigned has reviewed all the documents in the chain of title of the patent application identified above and, to the best of undersigned's knowledge and belief, title is in the applicant identified above.

The undersigned (whose title is supplied below) is empowered to act on behalf of the applicant and the assignee.

The terminal disclaimer fee of \$55.00 required by 37 CFR 1.20(d) is included.

The undersigned further declares that all statements made herein of his own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Respectfully submitted,

Date 6/30/04

  
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Brian S. Steinberger  
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